

1 THE HONORABLE JOHN C. COUGHENOUR
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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 ABDIQAFAR WAGAFE, et al.,
11 Plaintiffs,
12 v.
13 DONALD TRUMP, UNITED STATES
14 CITIZENSHIP AND IMMIGRATION
15 SERVICES, et al.,
16 Defendants.

CASE NO. C17-0094-JCC

MINUTE ORDER

16 The following Minute Order is made by direction of the Court, the Honorable John C.
17 Coughenour, United States District Judge:

18 This matter comes before the Court on Defendants' motion for extension of time to
19 respond to Plaintiffs' motion for class certification (Dkt. No. 26) from February 27, 2017 to
20 April 10, 2017 (Dkt. No. 35). Plaintiffs' filed an amended complaint on February 1, 2017, adding
21 challenges to the President's Executive Order (No. 13,769, 82 Fed. Reg. 8977) of January 27,
22 2017, entitled "Protecting the Nation from Foreign Terrorist Entry into the United States." (Dkt.
23 No. 17.) On February 7, Plaintiffs notified the Court that the acting director of the U.S.
24 Citizenship and Immigration Services ("USCIS") issued a memo stating "Section 3(c) of the
25 Executive Order does not affect USCIS adjudication of applications and petitions filed for or on
26 behalf of individuals in the United States regardless of their country of nationality." (Dkt. No. 22

1 at 2–3.) On February 9, 2017, Plaintiffs moved for class certification. (Dkt. No. 26.) Based on
2 the USCIS memo, Plaintiffs did not seek class certification in one of the three classes described
3 in their amended complaint. (Dkt. No. 22 at 2–3; Dkt. No. 26 at 3 n.1.) On February 16, 2017,
4 the President indicated that he intends to rescind the Executive Order and replace it with a new,
5 revised Executive Order.

6 Given that it appears likely the President will soon issue a new Executive Order, which
7 may lead to a putative class that would seek certification, the Court finds good cause to extend
8 the time to respond to Plaintiffs motion for class certification. *See* Fed. R. Civ. P. 6(b)(1)(A).
9 Accordingly, Defendants' motion for extension of time to respond to Plaintiffs' motion for class
10 certification (Dkt. No. 35) is GRANTED. Defendants have until April 10, 2017 to respond.
11 Plaintiffs' motion for class certification (Dkt. No. 26) is RENOTED to April 14, 2017. Should
12 Plaintiffs' require additional time to reply to Defendants' response, it will be afforded to them.

13 DATED this 27th day of February 2017.

14 William M. McCool
15 Clerk of Court

16 /s/Paula McNabb
17 Deputy Clerk